

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

QUINTEZ TALLEY,

Plaintiff,

v.

PENNSYLVANIA DEPARTMENT OF
CORRECTIONS, et al.,

Defendants.

CIVIL ACTION

NO. 19-1589-KSM

ORDER

AND NOW, this 21st day of March, 2024, upon consideration Defendants Cynthia Link, John Wetzel, Tammy Ferguson, Adam Beck, Scott Ellenberger, Brook Klinefelter, and the Pennsylvania Department of Correction's Motions to Dismiss or, in the alternative, Motions for Summary Judgment (Doc. Nos. 27, 43, 58), the United States and the Clerk's Office for the Middle District of Pennsylvania's (on behalf of itself and its unidentified employee) Motion to Dismiss (Doc. No. 56), the United States' Statement of Interest on behalf of Magistrate Judge Karoline Mehalchick (Doc. No. 57), and Plaintiff Quintez Talley's Motion to Transfer (Doc. No. 60) and responses thereto (Doc. Nos. 62, 63), and for the reasons set forth in the accompanying Memorandum, it is **ORDERED** as follows:

1. Defendants Cynthia Link, John Wetzel, Tammy Ferguson, Adam Beck, Scott Ellenberger, Brook Klinefelter, and the Pennsylvania Department of Correction's Motions to Dismiss or, in the alternative, Motions for Summary Judgment (Doc. Nos. 27, 43, 58) are **GRANTED**. All claims against these Defendants, **except** for the breach of contract claim and

due process claim are **DISMISSED WITH PREJUDICE**. The breach of contract claim and due process claim are **DISMISSED WITHOUT PREJUDICE**.

2. The United States and the Clerk's Office for the Middle District of Pennsylvania's (on behalf of itself and its unidentified employee) Motion to Dismiss (Doc. No. 56) is **GRANTED**. All claims against the Clerk's Office and its unidentified employee are **DISMISSED WITH PREJUDICE**. All claims against the United States, **except** for the breach of contract claim, are also **DISMISSED WITH PREJUDICE**. The breach of contract claim is **DISMISSED WITHOUT PREJUDICE**.

3. All claims against Judge Mehalchick are **DISMISSED WITH PREJUDICE**.

4. All claims against the Unknown Individuals in SCI-Benner's Inmate Accounting and the Unknown Individuals from the Inmate Accounting Department at SCI-Graterford are **DISMISSED**.

5. Plaintiff's Motion to Transfer (Doc. No. 60) is **DENIED**.

6. The Clerk of Court is directed to **CLOSE** this case.

IT IS SO ORDERED.

/s/ Karen Spencer Marston
KAREN SPENCER MARSTON, J.